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Approved May 19, 1999

CHAPTER 149

UNPAID CHARGES FOR CITY WATER, SEWAGE, AND SOLID WASTE SERVICES

H.F. 700

AN ACT relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 384.84, subsection 2, Code 1999, is amended by adding the following new paragraph:

NEW PARAGRAPH. d. If a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, city enterprise, or combined city enterprise may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises.

Sec. 2. Section 384.84, subsection 3, paragraphs a, c, and d, Code 1999, are amended to read as follows:

a. All Except as provided in paragraph "d", all rates or charges for the services of sewer systems, storm water drainage systems, sewage treatment, solid waste collection, water, solid waste disposal, or any of these services, if not paid as provided by ordinance of the council or resolution of the trustees, are a lien upon the property or premises served by any of these services upon certification to the county treasurer that the rates or charges are due.

c. A lien for a city utility or enterprise service under paragraph "a" shall not be certified to the county treasurer for collection unless prior written notice of intent to certify a lien is given to the account holder of the delinquent account. If the account holder is a tenant, and if the owner or landlord of the property has made a written request for notice, the notice shall also be given to the owner or landlord. The notice shall be sent to the appropriate persons by ordinary mail not less than ten days prior to certification of the lien to the county treasurer.

d. ~~For a residential~~ Residential rental property where a charge for water service is separately metered and paid directly to the city utility or enterprise by the tenant, ~~the rental property~~ is exempt from a lien for ~~those delinquent rates or charges incurred after~~ associated with such water service if the landlord gives written notice to the city utility or enterprise that the property is residential rental property and that the tenant is liable for the rates or charges ~~and~~ a city utility or enterprise may require a deposit not exceeding the usual cost of ninety days of water service is to be paid to the utility or enterprise. Upon receipt, the utility or enterprise shall acknowledge the notice and deposit. A written notice shall contain the name of the tenant responsible for charges, address of the residential rental property that the tenant is to occupy, and the date that the occupancy begins. A change in tenant shall require a new written notice ~~and deposit to be given to the city utility or enterprise~~ within ten business days of the change in tenant. When the tenant moves from the rental property, the city utility or enterprise shall return the deposit if the water service charges are

paid in full and the lien exemption shall be lifted from the rental property. A change in the ownership of the residential rental property shall require written notice of such change to be given to the city utility or enterprise within ten business days of the completion of the change of ownership. The lien exemption for rental property does not apply to charges for repairs to a water service if the repair charges become delinquent.

Approved May 19, 1999

CHAPTER 150

NAME CHANGE — MARRIAGE LICENSES

H.F. 714

AN ACT relating to name changes.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 595.5, Code 1999, is amended to read as follows:

595.5 SURNAME NAME ADOPTED.

1. A party may ~~request~~ indicate on the application for a marriage license ~~the adoption of a name change to that of the other party or to some other surname mutually agreed upon by the parties.~~ The names used on the marriage license shall become the legal names of the parties to the marriage. The marriage license shall contain a statement that when a name change is requested and affixed to the marriage license, the new name is the legal name of the requesting party. ~~If a party requests a name change, other than a change of surname to that of the other spouse or to a combination of the surnames of both spouses, the party shall request approval of the court pursuant to chapter 674 and shall submit to the court the information required by section 674.2. Upon approval of the court and solemnization of the marriage, the~~

2. ~~The~~ county registrar shall send a certified copy of the return of marriage to the recorder's office in every county in this state where real property is owned by either of the parties, upon request of the parties. ~~The judge may approve the name change.~~ The new names and the immediate former names shall appear on the return of marriage, and the return of marriage shall be recorded in the miscellaneous records in the recorder's office.

3. An individual shall have only one legal name at any one time.

Sec. 2. Section 674.2, subsection 7, Code 1999, is amended to read as follows:

7. A certified copy of the birth certificate to be attached to the petition. If a certified copy of the birth certificate is not available, the reason for the unavailability shall be stated and another form of identification, which may include documents provided by the United States department of immigration and naturalization service, shall be attached in lieu of the certified copy of the birth certificate.

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